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AMENDMENT 75-1D
RURAL VALLEY LANDS PLAN



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Adopted: Tulare County Planning Commission
Resolution 4488 - October 22, 1975

Adopted: Tulare County Board of Supervisors
Resolution 75-3444 December 2, 1975

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I. INTRODUCTION

The Rural Valley Lands Plan was initiated in order to establish minimum parcel sizes for areas zoned for agriculture and to develop a policy that is fair, logical, legally supportable and which consistently utilizes resource information to determine the suitability of rural lands for nonagricultural uses. The policy statement will act as a guide to the Planning Commission and Board of Supervisors in determining appropriate minimum parcel sizes and areas where nonagricultural use exceptions in the rural areas of the County may be allowed.

II. POLICY STATEMENT

A. In order to protect and maintain the agricultural viability of rural valley areas, it shall be the policy of the County of Tulare to develop several exclusive agricultural zones, each containing a different minimum parcel size. In addition, it shall be the policy of the County to apply such zones to lands located outside adopted Urban Area Boundaries, generally below and west of the six hundred foot (600') elevation contour line as it occurs in Tulare County (see attachment No. 1). It is recognized that there may be unique circumstances under which parcels as small as five (5) acres in size may be agricultural in nature. It is further recognized, that ten (10) acre, twenty (20) acre, forty (40) acre and eighty (80) acre minimum parcel sizes are necessary to maintain and protect the agricultural viability of significant portions of the County. A determination as to the most appropriate minimum parcel size for a particular area shall be made on the basis of factors relevant to the protection and maintenance of existing and/or potential agricultural uses of land including, but not limited to, factors such as existing land use patterns, land capability ratings for agriculture, and the occurrence of agricultural preserves. Nothing herein is intended to prevent the application of exclusive agricultural zones developed pursuant to this policy to lands located outside the above described area.

B. It is recognized that exceptions to the general policy described above are necessary and desirable. In order to determine in a consistent and logical fashion when such exceptions should apply, the following method shall be used to judge the relative agricultural or nonagricultural suitability of rural valley lands for zoning purposes.

Pursuant to this policy, all lands found to be more suitable for nonagricultural zoning by means of this system may be zoned for urban/suburban types of uses. The application of zoning to implement this policy, however, is discretionary and the County is not compelled to grant such zoning.

Fifteen (15) factors will be used to evaluate a parcel's suitability for nonagricultural zoning. (See attachment No. 2 for factors, their value categories, definitions, justifications and weighting criteria.)

In employing this method, a parcel of land is "surveyed." The two "Restricted to Agriculture" factors are applied initially. If a "Restricted to Agriculture" criteria is met for either of these factors, the parcel is to remain agriculturally zoned and no further point ratings need to be applied. If none of the "Restricted to Agriculture" criteria are met, the factors from the point value categories are applied. If a factor meets the "Agricultural Value" criteria, it is assigned the number of points listed for that category. If a factor meets the "Non-agricultural Value" criteria, it receives no points.

After all the factors have been applied, the number of points the parcel has accumulated are totaled. If the number of points accumulated is seventeen (17) or more, then the parcel shall remain agriculturally zoned. If the number of points accumulated is eleven (11) or less, the parcel may be considered for nonagricultural zoning. A parcel receiving 12, 13, 14, 15, or 16 points shall be determined to have fallen within a "gray" area in which no clear cut decision is readily apparent. In such instances, the Planning Commission and Board of Supervisors shall make a decision based on the unique circumstances pertaining to the particular parcel of land, including factors not covered by this system.

III. POLICY DEVELOPMENT BACKGROUND

Tulare County is the third largest producer of agricultural products in the nation. In the most recent annual Tulare County Crop Report, the total value of all agricultural products was listed as \$682,545,000. In addition, agriculture produces income for other areas of the economy, including farm equipment assembly, maintenance and sales as well as banking and the building industry.

Urban and suburban development in Tulare County is intruding into prime rural agricultural lands at an increasing rate. Each year hundreds of acres of prime agricultural lands are being taken out of production in order to make way for suburban "ranchettes" or parceled into small lots for investment purposes. Once this is done, it is virtually impossible to reassemble the land into viable agricultural units. According to the Agricultural Census, Tulare County lost 66,000 acres of farm land between 1964 and 1969. Prime agricultural land is an irreplaceable natural resource, and its wise use is of as much importance as other natural resources such as coal and oil.

The effects of piecemeal urbanization on agricultural fringes and the costs of public services to such development should also be understood. In a report prepared by the Ventura County Planning Department in 1970, their findings show that from a property tax standpoint, agriculture is the only land use that pays for itself when industrial and commercial property is given a cost based on total urban expenditures by government.

In spite of the efforts of local government to protect agricultural land through protective taxation or zoning, much of the blame for wasteful checkerboard sprawl lies with the lack of an effective system to direct new development into better patterns.

It is important that land to be developed for nonagricultural uses be programmed in a gradual outward extension of present nonagricultural areas in order that agricultural lands will not be unnecessarily fragmented and that service costs will be kept at an economic level. Where possible, nonagricultural uses should be directed to less desirable soils where conflicts with agriculture and impacts on the County's future agricultural productivity will be minimized. In addition, such uses should be directed to areas where groundwater level and soil suitability permit building without substantial public safety hazards or critical environmental disturbances.

IV. POLICY GOAL

To sustain the viability of Tulare County agriculture by restraining division and use of land which is harmful to continued agricultural use of nonreplaceable land resources.

V. POLICY OBJECTIVES

1. Discourage the conversion or division of agricultural lands to nonagricultural uses and parcel sizes.
2. Provide for limited nonagricultural activities and necessary agricultural related industry in selected rural areas.

VI. POLICY ANALYSIS

The "A" portion of the policy permits the County to establish minimum parcel sizes (i.e., 20, 40, 80 acres) necessary to preserve agricultural lands in increments large enough to support commercial agriculture and to discourage the generation of urban land uses in predominantly agricultural areas. This policy will have the effect of slowing the dilution of required public services and diminish land use incompatibilities associated with nonagricultural uses interspersed with agricultural operations.

The "B" portion of the policy permits the County to zone parcels of land in an agricultural zone (for example, A-1, AE, AE-20, AE-80) to nonagricultural zoning classifications (for example, R-A, R-0, R-1, R-2, R-3, "O", P-0, P-1, C-1, C-2, M-1, M-2, M) if it is found that the parcel is better suited for a nonagricultural zone classification by means of the system of selection set forth in the policy.

Such a policy does away with the need to amend the General Plan each time a proposed zone change comes before the Planning Commission and Board of Supervisors. This policy allows for a more orderly and efficient review of those parcels zoned for agriculture which are proposed for a zone other than agriculture, because it eliminates the need to prepare specific plans for many small geographic areas.

DEFINITIONS, JUSTIFICATIONS AND WEIGHTING OF FACTORS

RURAL VALLEY LANDS PLAN

A. RESTRICTED TO AGRICULTURE VALUES

1. Agricultural Preserve Status

a. Definition

Determine if the site is within an agricultural preserve.

b. Justification

To prevent conflict between agricultural preserve rules and regulations and use of the land.

c. Weighting Criteria

1.) Restricted to Agriculture - site is within an agricultural preserve.

a.) Importance - the Board of Supervisors has determined that these lands should be maintained in commercial agricultural production.

2.) Nonagricultural Use - site is not within an agricultural preserve.

a.) Importance - these lands have other land use alternatives available to them.

2. Limitations for Individual Waste Disposal Facilities

a. Definition

Determine by conferring with the Tulare County Health Department if individual waste disposal facilities can be permitted on the parcel under review.

b. Justification

The Tulare County Health Department may determine that employing an individual waste disposal facility for the disposal of liquid waste will be in violation of County ordinances and/or State and federal laws or regulations.

c. Weighting Criteria

1.) Restricted to Agriculture - employing an individual waste disposal facility is prohibited by law or regulation.

a.) Importance - prevent the contamination of the groundwater table.

2.) Nonagricultural Use - employing an individual waste disposal facility is not prohibited by law.

a.) Importance - to direct nonagricultural development into areas where employing an individual waste disposal system will not result in the contamination of the groundwater table.

B. VARIABLE POINT VALUE

1. Land Capability

a. Definition

Determine the predominant land capability of the site for agricultural purposes.

b. Justification

To preserve prime agricultural lands for agricultural production.

c. Weighting Criteria

1.) Agricultural Value - lands which are of a Class I, II, III or IV land capability. (SCS ratings) Their point values are as follows:

Class I or II	- 4 point value
Class III	- 3 point value
Class IV	- 2 point value

a.) Importance - to preserve lands with agricultural capability by discouraging nonagricultural development.

2.) Nonagricultural Value - lands which are not of Class I, II, III, or IV capability.

a.) Importance - direct nonagricultural development into areas that are not suited for agricultural purposes.

C. FOUR POINT VALUES

1. Existing Parcel Size

a. Definition

Determine the parcel size of the applicants' entire contiguous ownership.

b. Justification

To provide for development of nonagricultural uses on those parcels which are less than five acres in size. This will prevent the division of lands into smaller parcels.

c. Weighting Criteria

- 1.) Agricultural Value - the site is five acres or larger in size.
 - a.) Importance - to prevent further division of large agricultural parcels into smaller parcels, thus limiting their value for agricultural purposes.
- 2.) Nonagricultural Value - the site is less than five acres.
 - a.) Importance - to allow development of nonagricultural uses to occur on those parcels where most agricultural uses would be economically infeasible.

2. Existing Land Use/Suitability for Cultivation

a. Definition

Determine present use of the site and its suitability for the commercial cultivation, growing and harvesting of field crops, fruit and nut trees, vines, vegetables, and horticultural specialties.

b. Justification

To identify and protect existing and potential agricultural lands, while also allowing nonagricultural uses to locate on those lands not suitable for agriculture.

c. Weighting Criteria

- 1.) Agricultural Value - the land is in agricultural use or has the potential for cultivation. Things to be considered are as follows: Is the site presently being used for commercial agriculture? What is the land's cropping history? Is the site suitable for cultivation? (For factors to consider in judging suitability, see nonagricultural value.)
 - a.) Importance - to preserve land in agricultural use and to discourage nonagricultural use of land with the potential for cultivation.
- 2.) Nonagricultural Value - the land is not in agricultural use and is not suitable for cultivation. Examples of conditions to take into consideration in determining that the site is not suitable for cultivation are as follows: cold spots in thermal areas, sand streaks covering a majority of the site, high concentration of salts or alkali, and areas of extremely rocky soil.
 - a.) Importance - to encourage nonagricultural development to occur on lands which are not in agricultural use or suitable for cultivation.

D. THREE POINT VALUE CATEGORY

1. Surrounding Parcel Size (Do not evaluate if the site received "0" points for Existing Land Use/Suitability for Cultivation. Enter a "0" for this factor in such cases.)

- a. Definition

Determine the percentage of the area devoted to parcels less than five acres in size within one-quarter mile (1,320 feet) of the perimeter of the subject site.

- b. Justification

To provide for development of nonagricultural uses in areas where there is already a high percentage of parcels that are less than five acres and to protect large parcel areas from further breakdown.

- c. Weighting Criteria

- 1.) Agricultural Value - within one-quarter mile (1,320 feet) of the perimeter of the site, 35% or less of the area is devoted to parcels smaller than five acres in size.

- a.) Importance - to discourage nonagricultural land uses in areas where land is essentially in agriculture.

- 2.) Nonagricultural Value - within one-quarter mile (1,320 feet) of the perimeter of the site, more than 35% of the area is devoted to parcels smaller than five acres in size.

- a.) Importance - allow nonagricultural development on the site, if within the surrounding area a high percentage of the area is devoted to parcels of less than five acres.

2. Surrounding Land Use

- a. Definition

Determine the various land uses that are abutting and within one-quarter mile (1,320 feet) of the site.

- b. Justification

To prevent the close association of agricultural uses and nonagricultural uses which may have the potential to adversely affect one another.

- c. Weighting Criteria (If the site meets any of the criteria listed under the nonagricultural value, award this factor no points. If the site does not meet any of the nonagricultural value criteria, award this factor 3 points.)

- 1.) Agricultural Value - none of the standards that have been set for nonagricultural value have been met.

- a.) Importance - to eliminate conflicts with adjacent land uses and protect agricultural land uses from intrusion of inhar-
monious uses.

2.) Nonagricultural Value

- (2.1) - The site is not abutted by nonagricultural uses, but within one-quarter mile (1,320 feet) of the perimeter of the site, at least 35% of the area is devoted to nonagricultural uses.
- (2.2) - The site is abutted on one side with nonagricultural uses and within one-quarter mile (1,320 feet) of the perimeter of the site, 25% of the area is devoted to nonagricultural uses.
- (2.3) - The site is abutted on two sides with nonagricultural uses and within one-quarter mile (1,320 feet) of the perimeter of the site, at least 20% of the area is devoted to nonagricultural uses.
- (2.4) - The site is abutted on three sides with nonagricultural uses and within one-quarter mile (1,320 feet) of the perimeter of the site, at least 15% of the area is devoted to nonagricultural uses.
- (2.5) - The site is abutted on four sides with nonagricultural uses.
- a.) Importance - to allow nonagricultural development in those areas where such development has already occurred.

3. Proximity to Dairy, Feed Lot, Concentrated Animal Raising Operation, Sand and Gravel Operation

a. Definition

Determine if any of the above types of operations are located within one-half mile (2,640 feet) of the site.

b. Justification

To prevent the establishment of inharmonious uses that may jeopardize the continued operation or future expansion of these activities, and to discourage nonagricultural uses in areas where dust, flies and odors may be a problem.

c. Weighting Criteria

- 1.) Agricultural Value - the site is within one-half mile (2,640 feet) of any of the above types of uses.

- a.) Importance - to prevent uses which may be inharmonious with the above mentioned activities mentioned above.

2.) Nonagricultural Value - the site is more than one-half mile (2,640 feet) from any of the uses mentioned above.

a.) Importance - to encourage the location of uses which may be inharmonious with the above mentioned activities a reasonable distance away from the site.

E. TWO POINT VALUE CATEGORY

1. Level of Groundwater and Soil Permeability

a. Definition

Determine the groundwater level and the soil permeability rating for the site.

b. Justification

To preserve in agriculture or open space those areas characterized by a high groundwater table and highly permeable soil.

c. Weighting Criteria

1.) Agricultural Value - site has highly permeable soil and a groundwater table within twenty feet of the ground surface.

a.) Importance - those lands which have highly permeable soil and a water table higher than twenty feet should be maintained in agriculture or open space to prevent contamination of groundwater from domestic or industrial waste.

2.) Nonagricultural Value - site has a water table lower than twenty feet from the ground surface, and does not have highly permeable soil.

a.) Importance - nonagricultural development will pose less of a threat to groundwater quality in areas with a low water table and soil that is not highly permeable.

2. Proximity to Lands Within Agricultural Preserves

a. Definition

Determine the amount of area within one-quarter mile (1,320 feet) of the perimeter of the site which is in agricultural preserves.

b. Justification

To protect those areas which have been set aside by official action of the County for commercial agriculture from adjacent conflicting land uses.

c. Weighting Criteria (If the site meets any of the criteria listed under the agricultural value, award this factor 2 points. If the site does not meet any of the agricultural value criteria, award the factor "0" points.)

1.) Agricultural Value

- (1.1) - The site is not abutting an agricultural preserve, but within one-quarter mile (1,320 feet) of the perimeter of the site at least 65% of the area is land that is in agricultural preserves.
- (1.2) - The site is abutted on one side with an agricultural preserve, and within one-quarter mile (1,320 feet) of the perimeter of the subject site at least 50% of the area is land that is in agricultural preserves.
- (1.3) - The site is abutted on two sides with agricultural preserves, and within one-quarter mile (1,320 feet) of the perimeter of the site at least 35% of the area is land that is in agricultural preserves.
- (1.4) - The site is abutted on three sides with agricultural preserves, and within a quarter mile (1,320 feet) of the perimeter of the site at least 20% of the area is land that is in agricultural preserves.
- (1.5) - The site is abutted on four sides with agricultural preserves.
 - a.) Importance - to eliminate conflicts with adjacent land uses and to protect agricultural land uses from intrusion of inharmonious uses.

2.) Nonagricultural Value - none of the above criteria that have been established have been met.

- a.) Importance - to discourage nonagricultural uses to develop in those areas where such uses will not conflict with lands committed to long-term agricultural uses.

F. ONE POINT VALUE CATEGORY

1. Proximity to Fire Protection Facilities

a. Definition

Determine the distance to the nearest fire protection facilities from the site.

b. Justification

To enable fire protection facilities to provide adequate services for all nonagricultural land uses in the County within the requirements of established Fire Code Standards and to protect the County's Insurance Services Office (I.S.O.) ratings.

c. Weighting Criteria

- 1.) Agricultural Value - site is not within a five-mile response distance from fire protection facilities.

- a.) Importance - this land should be maintained in agriculture in order to conform to fire safety standards.
- 2.) Nonagricultural Value - site is within a five-mile response distance from fire protection facilities.
 - a.) Importance - land which has accessibility to fire protection facilities is more suitable for nonagricultural uses.
- 2. Access to a Paved County and/or State Maintained Road
 - a. Definition
Determine if the site has access to a paved County and/or State maintained road.
 - b. Justification
Protect agriculture from problems of dust and pollution created by increased vehicular traffic on unpaved minor roads, and to discourage the creation of new roads that may have to be maintained by the County or State.
 - c. Weighting Criteria
 - 1.) Agricultural Value - the site does not have direct access to a paved road.
 - a.) Importance - those areas which do not have accessibility to paved roads may be better suited for agricultural uses.
 - 2.) Nonagricultural Value - the site has access to a paved road.
 - a.) Importance - those areas which have accessibility to a paved road may be better suited for nonagricultural uses than areas that do not have such access.
- 3. Historical, Archaeological, Wildlife Habitat, and Unique Natural Features
 - a. Definition
Determine if within the boundaries of the subject site there are any historical, archaeological, and/or unique natural features (as defined in ERME) which should be preserved, including wildlife habitats of rare and endangered species.
 - b. Justification
To preserve and protect historical, archaeological, wildlife habitats, and unique natural features.
 - c. Weighting Criteria
 - 1.) Agricultural Value - located on the site is a historical or archaeological site, wildlife habitat, or unique natural feature.

- a.) Importance - to discourage encroachment of nonagricultural development which could seriously damage or alter historical or archaeological sites, wildlife habitats, and unique natural features.
- 2.) Nonagricultural Value - No historical or archaeological sites, wildlife habitat, and unique natural features exist on the site.
 - a.) Importance - to direct nonagricultural uses into those areas in which there exists no historical or archaeological sites, wildlife habitat, and unique natural features which may be destroyed by such activity.

4. Flood Prone Areas

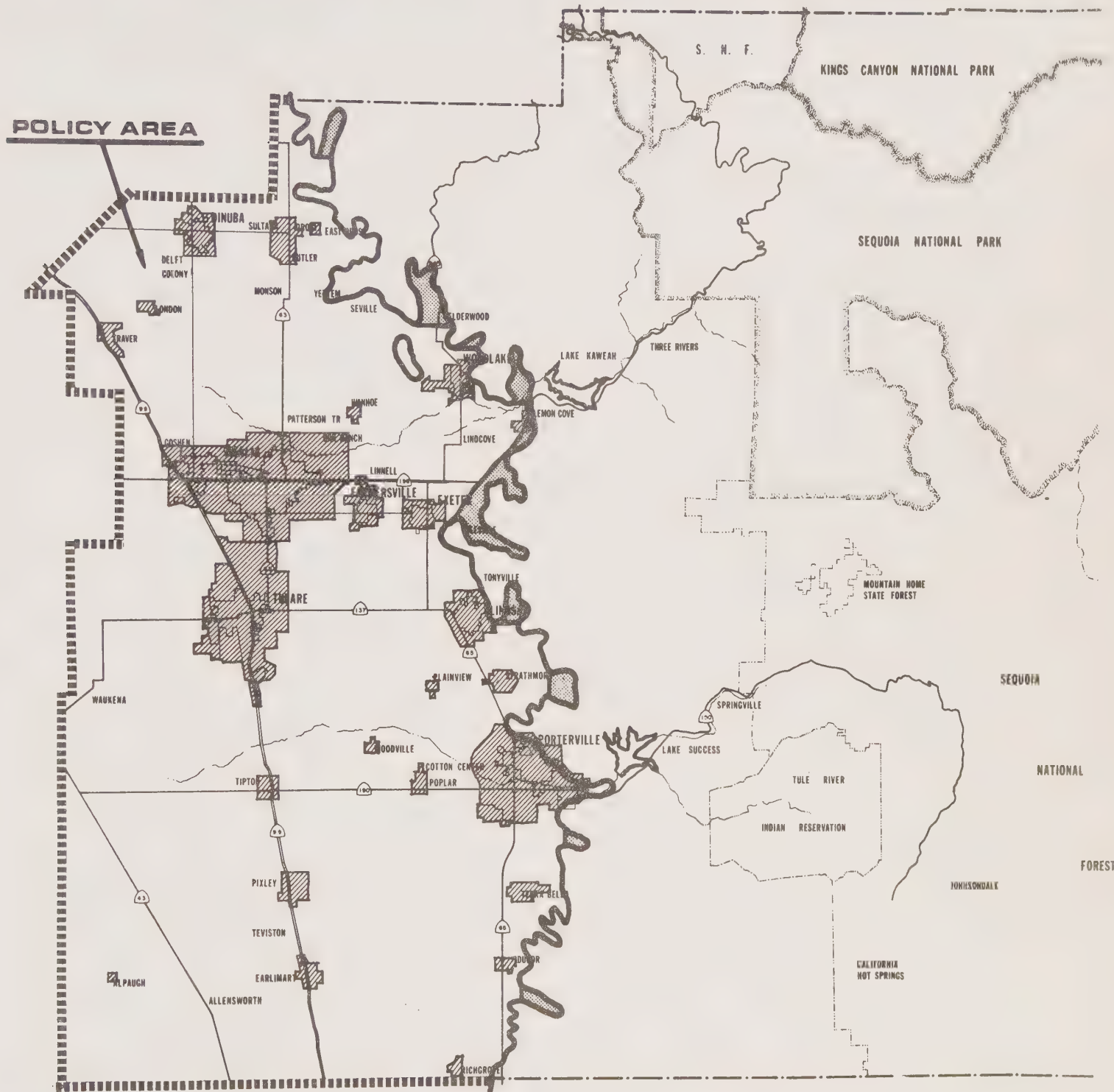
- a. Definition
Determine if the site is subject to 100 year frequency floods.
- b. Justification
To preserve in open space or agricultural use those areas subject to flooding.
- c. Weighting Criteria
 - 1.) Agricultural Value - unit is subject to 100-year frequency floods.
 - a.) Importance - to prevent nonagricultural uses from establishing in areas where severe flooding presents a hazard to public health, safety or welfare.
 - 2.) Nonagricultural Value - site is not subject to 100-year frequency floods.
 - a.) Importance - to direct nonagricultural uses into areas where flooding is not a problem.

5. Availability of Community Domestic Water

- a. Definition
Determine if community domestic water can be obtained.
- b. Justification
To consolidate nonagricultural development where water services are already available in order to maximize use of existing systems and prevent proliferation of new systems in rural areas.
- c. Weighting Criteria
 - 1.) Agricultural Value - site does not have accessibility to community domestic water.

- a.) Importance - to discourage the creation of additional community domestic water sytems in agricultural areas.
- 2.) Nonagricultural Value - site has access to community domestic water.
 - a.) Importance - to encourage nonagricultural uses to locate in areas where community domestic water systems have already been established.

RURAL VALLEY LANDS PLAN POLICY AREA



COUNTY OF TULARE



LEGEND

-  URBAN AREAS
-  800' CONTOUR LINE
-  EXCEPTIONS TO 800' CONTOUR LINE

APPLICATION NO. _____

APPLICANT'S
NAME _____PARCEL EVALUATION CHECKLIST
RURAL VALLEY LANDS PLANA. RESTRICTED TO AGRICULTURE VALUES

If the following factors meet the "restricted to agriculture" criteria, place an "R" in the value column. If it meets the "nonagricultural" criteria, place an "O" in the value column.

- | | <u>VALUE</u> |
|---|----------------------|
| 1. Agricultural Preserve Status - - - - - | <input type="text"/> |
| 2. Limitations for Individual Waste Disposal Facilities - - - - - | <input type="text"/> |

B. VARIABLE POINT VALUE

Each of the following land capability ratings (SCS) have been awarded a number value. The land capability ratings and their number values are:

LAND CAPABILITY	POINT VALUE
Class I or II	4 points
Class III	3 points
Class IV	2 points
Class V, VI, or VII	0 points

For the following factor determine the land capability ratings of the parcel under review and award its corresponding point value in the value column.

Class I or II	(4 pts.)	- - - - -	<input type="text"/>
Class III	(3 pts.)	- - - - -	<input type="text"/>
Class IV	(2 pts.)	- - - - -	<input type="text"/>
Class V, VI, or VII	(0 pts.)	- - - - -	<input type="text"/>

C. POINT VALUES

If the following factors meet the agricultural criteria, award the factor the number of points listed for the category. If the factor meets the nonagricultural criteria, award the factor a "0".

4 POINT VALUE CATEGORY

- | | |
|---|----------------------|
| 1. Existing Parcel Size - - - - - | <input type="text"/> |
| 2. Existing Land Use/Suitability for Cultivation- - - - - | <input type="text"/> |

3 POINT VALUE CATEGORY

- | | |
|--|----------------------|
| 1. Surrounding Parcel Size (Do not evaluate this factor if the site received "0" points for Existing Land Use/Suitability for Cultivation. Enter a "0" for this factor in such cases.) - - - - - | <input type="text"/> |
| 2. Surrounding Land Use - - - - - | <input type="text"/> |
| 3. Proximity to Dairies, Feedlots, Concentrated Animal Raising Operations, Sand and Gravel Operations - - - - - | <input type="text"/> |

2 POINT VALUE CATEGORY

- | | |
|---|----------------------|
| 1. Level of Ground Water and Soil Permeability- - - - - | <input type="text"/> |
| 2. Proximity to Lands in Agricultural Preserves - - - - - | <input type="text"/> |

1 POINT VALUE CATEGORY

- | | |
|---|----------------------|
| 1. Proximity to Fire Protection Facilities- - - - - | <input type="text"/> |
| 2. Access to Paved Roads- - - - - | <input type="text"/> |
| 3. Historical, Archaeological, Wildlife Habitats and Unique Natural Features- - - - - | <input type="text"/> |
| 4. Flood Prone Areas- - - - - | <input type="text"/> |
| 5. Availability of community domestic water - - - - - | <input type="text"/> |

TOTAL POINTS - - - - -

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